

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of NIA ARIEL LANAY HILL,
CLAYTON MARIO HILL, JULIAN
CHRISTOPHER HILL, CALEB MANDRAY-
EMMANUEL ROGAN, and SHAUNTAE
MARIA ROGAN, a/k/a SHAUNTAE MARIA
HILL, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

VALORIE ANDREA ROGAN, a/k/a VALORIE
ANDRE-A ROGAN, a/k/a VALORIE ANDRE'A
ROGAN,

Respondent-Appellant,

and

CLAYTON HILL and DONRAY ALLEN MILES,

Respondents.

Before: Bandstra, P.J., and Hoekstra and Borrello, JJ.

MEMORANDUM.

Respondent-appellant Valorie Rogan appeals as of right the order terminating her parental rights. We affirm. This matter is being decided without oral argument pursuant to MCR 7.214(E).

Under MCL 712A.19b(3), the petitioner for the termination of parental rights bears the burden of proving at least one ground for termination. *In re Trejo Minors*, 462 Mich 341, 350; 617 NW2d 407 (2000). Once the petitioner has presented clear and convincing evidence that persuades the court that a ground for termination is established, termination of parental rights is mandatory unless the court finds that termination is clearly not in the child's best interests. *Id.* at 355-356. Decisions terminating parental rights are reviewed for clear error. *Id.* at 356.

The petition alleged that respondent-appellant failed to rectify the conditions that led to the adjudication and failed to provide proper care and custody. MCL 712A.19b(3)(c)(i) and (g). There is clear and convincing evidence to support the termination of respondent's parental rights. The conditions that led to the filing of the petition were respondent's use of drugs during and after her pregnancies, and the homelessness of the family. There was clear and convincing evidence that respondent still had an intractable drug problem, and that she did not have adequate housing for her family. There was no evidence that she could control her drug problem any time in the reasonable future, or provide proper care and custody for the children. There is no showing that termination is not in the best interests of the children.

We affirm.

/s/ Richard A. Bandstra

/s/ Joel P. Hoekstra

/s/ Stephen L. Borrello